



This is just a two page sample of the full transcript. If you would like to purchase this transcript please go here:
<http://www.crossexam.com/viewcase/8246.html>

Case : GARY M. GRABEL vs. ASHIS K. RAKHIT
Testimony Date : September 01, 2000
Expert Witness : RALPH LACK M.D.
Expert Type : Cardiology
Court : State: Ohio County: Cuyahoga
Pages : 143

State of Ohio, }
County of Cuyahoga. } SS:

IN THE COURT OF COMMON PLEAS

GARY M. GRABEL, et al.,
Plaintiffs,

vs.

ASHIS K. RAKHIT, M.D., et al.,
Defendants.

Case No. 383110
Judge Gaul

THE TELEPHONIC DEPOSITION OF RALPH LACH, M.D.
FRIDAY, SEPTEMBER 1, 2000

The telephonic deposition of Ralph Lach, M.D., a
Witness herein, called by the Plaintiffs for
examination pursuant to the Ohio Rules of Civil
Procedure, taken before me, the undersigned, Tracy L.
Barker, a Registered Merit Reporter and Notary Public
within and for the State of Ohio, taken at the offices
of Traci & Marx, 1550 Illuminating Building, Cleveland,
Ohio, commencing at 5:05 p.m., the day and date above
set forth.

Cady & Wanous Reporting Services, Inc.

APPEARANCES:

On behalf of the Plaintiffs:

Robert V. Traci, Esq.
Traci & Marx
1550 Illuminating Building
55 Public Square
Cleveland, Ohio 44113

On behalf of the Defendants (via telephone):

Ronald A. Rispo, Esq.
Weston, Hurd, Fallon, Paisley & Howley
2500 Terminal Tower
50 Public Square
Cleveland, Ohio 44113

RALPH LACH, M.D.

of lawful age, called by the Plaintiffs for
examination pursuant to the Ohio Rules of Civil
Procedure, having been first duly sworn, as
hereinafter certified, was examined and
testified as follows:

MR. TRACI: Ron, we have
agreed that we can do this by conference call
and the court reporter will be in my office and
swear in the doctor in Columbus.

MR. RISPO: We have and we
have exchanged the same stipulation as we did in
the previous deposition of your expert.

MR. TRACI: Okay. Great.

EXAMINATION OF RALPH LACH, M.D.

BY MR. TRACI:

Q Doctor, would you be kind enough to give me your
full name.
A Ralph D. Lach, M.D., 777 West State Street,
Columbus, Ohio 43222.
Q And you're a board certified cardiologist,
Doctor?
A Yes.
Q And when was it you became board certified?

Cady & Wanous Reporting Services, Inc.

1 A Board certified in internal medicine about 1967
2 or '68, in cardiology about 1970.
3 Q Are you grandfathered in where you don't have to
4 be recertified?
5 A Correct.
6 MR. TRACI: Ron, do you by
7 any chance have a CV for Dr. Lach?
8 MR. RISPO: I do not. I'm
9 sorry.
10 Q Doctor, do you have a CV?
11 A Oh, yes.
12 MR. TRACI: Would you be
13 kind enough, Ron, so I don't have to go in
14 through all the background now?
15 MR. RISPO: Sure.
16 MR. TRACI: Would you be
17 kind enough, Doctor, to send it to Mr. Rispo and
18 we'll attach it as a exhibit to the deposition.
19 THE WITNESS: Okay.
20 MR. TRACI: Is that okay
21 with you, Ron?
22 MR. RISPO: Sure.
23 BY MR. TRACI:
24 Q How much of your professional time currently is
25 spent treating cardiology patients?

Cady & Wanous Reporting Services, Inc.

Cady & Wanous Reporting Services, Inc.

1 A About 95 percent.
 2 Q Okay. What do you do with your other 5 percent
 3 of your professional time?
 4 A Review materials, cases, give opinions, legal
 5 cases, anything that anybody needs a cardiologic
 6 opinion.
 7 Q Do you have a separate company that you do that
 8 through?
 9 A No.
 10 Q So roughly 5 percent of your time is spent in
 11 legal consultations of some kind or another?
 12 A Yes.
 13 Q And for how many years have you been doing that?
 14 A It hasn't been 5 percent for all that time, but
 15 I think I did the first case about 1966 and
 16 gradually increased in a linear fashion since
 17 then.
 18 Q Did you say '56 or '66?
 19 A '66.
 20 Q Okay. In how many different states have you
 21 testified?
 22 A Probably four or five.
 23 Q Okay. And do you review for both plaintiffs and
 24 defendants?
 25 A Yes.

Cady & Wanous Reporting Services, Inc.

1 Q Of the legal cases you review, how many involve
 2 medical malpractice type cases?
 3 A Today it's probably about 60 or 70 percent.
 4 Q Okay. And in a given year, how frequently do
 5 you review or get involved in testifying in
 6 malpractice cases?
 7 A I testify in the courtroom maybe three or four
 8 times a year, by deposition maybe 15 or 20 times
 9 a year.
 10 Q And has that been pretty standard for the last
 11 five, six years?
 12 A It's gradually increasing, I guess.
 13 Q Okay. And have you ever consulted on any cases
 14 for Mr. Rispo previously?
 15 A Not to my knowledge.
 16 Q Have you ever consulted for the law firm of
 17 Weston, Hurd, Fallon, Paisley, etc.?
 18 A Again, I can't think of one, but over the years
 19 it's probable that we've had one or two, but I
 20 can't remember any.
 21 Q Have you ever consulted on a case where you had
 22 to give an opinion on what the proper care would
 23 be following a myocardial infarction?
 24 A Yes.
 25 Q And have you ever done that on behalf of a

Cady & Wanous Reporting Services, Inc.

1 plaintiff in a medical negligence case?
 2 A I presume it could have been either plaintiff or
 3 defense, and I guess there were a few, but I
 4 can't really think of any specifics.
 5 Q Can you recollect any plaintiffs case of any
 6 kind wherein you were asked your opinion on the
 7 standard of care and the treatment of myocardial
 8 infarction?
 9 A I can't recall any, but I'm sure there were
 10 some.
 11 Q Would you have any way of tracking that in your
 12 office in terms of how you keep track of your
 13 cases?
 14 A No. Not really.
 15 Q How do you keep track of your cases?
 16 A Well, we don't. We keep a file on cases and
 17 opinions that are asked, and after I provide my
 18 opinion, it just gets filed away and it may or
 19 may not ever come to vision again.
 20 Q Do you keep a library, if you will, of your
 21 depositions that you've given?
 22 A No.
 23 Q Have you ever testified in a case wherein you've
 24 been asked to opine on the damage caused by two
 25 different, two or more different heart attacks

Cady & Wanous Reporting Services, Inc.

1 on an individual?
 2 A It seems there was something along those lines
 3 within the last year, but I can't recall the
 4 details.
 5 Q Do you remember the name of any of the lawyers
 6 involved in the case?
 7 A No.
 8 Q Do you remember the name of the case?
 9 A No.
 10 Q Have you ever been asked to testify in a case
 11 involving risk stratification of patients
 12 following an MI?
 13 A I think in the general sense that that's what we
 14 were talking about when we answered that issue a
 15 few minutes ago.
 16 Q Okay. Can you give me the name of the most
 17 recent case in which you've testified on behalf
 18 of the patient in a medical negligence case?
 19 A I honestly can't remember.
 20 Q When was the last time you gave a deposition,
 21 Doctor?
 22 A About three or four days ago.
 23 Q And what kind of case was that?
 24 Did you hear me, Doctor?
 25 A Oh, yes. I'm sorry. I'm trying to think.

Cady & Wanous Reporting Services, Inc.